

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of  
  
Catherine Jerry  
  
Respondent

Civil Citation No. 60873  
  
4029 St. Monica Drive

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on May 26, 2009, for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-309A, failure to store trash in cans with tight fitting lids, failure to remove trash on residential property zoned DR 10.5 known as 4029 St. Monica Drive, 21206.

On May 20, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Ed Creed issued a Code Enforcement citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars)

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on May 14, 2009 requesting removal of junk, trash and debris and use of garbage cans with tight-fitting lids. This Citation was issued on May 20, 2009.

B. Photographs show bagged garbage on the ground, and cans without lids. This is a violation of County Code provisions prohibiting conditions that are conducive to rat harborage and rodent infestation.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$100.00 (one hundred dollars) if Respondent corrects the violation. The County shall re-inspect the property during June and July, and if garbage is properly stored in cans with tight fitting lids and the property is found to be in compliance, the penalty will be reduced to \$100.00. If the Respondent fails to correct the violations, the full civil penalty shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 1<sup>st</sup> day of June 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer